

Kevin T. Simon - SBN 180967  
The Law Offices of Kevin T. Simon, APC  
21241 Ventura Blvd., Suite 253  
Woodland Hills, CA 91364  
Tel: (818) 783-1674  
Facsimile: (818) 783-6253  
Email: kevin@ktsimonlaw.com

Attorney for Debtor,  
Wayne Lawrence Simon

**UNITED STATES BANKRUPTCY COURT**

**CENTRAL DISTRICT OF CALIFORNIA – LOS ANGELES DIVISION**

In re	)	CHAPTER 13
	)	CASE NO.: 2:21-bk-18656-NB
	)	
WAYNE LAWRENCE SIMON,	)	<b>MOTION TO WITHDRAW AS</b>
	)	<b>ATTORNEY OF RECORD;</b>
	)	<b>DECLARATION OF KEVIN T. SIMON</b>
	)	<b>IN SUPPORT THEREON</b>

[No Hearing Required Pursuant to LBR  
[2091-1(a)], [9013-1(p)(4)]

Debtor(s)

**TO THE HONORABLE NEIL W. BASON, UNITED STATES BANKRUPTCY  
JUDGE, THE CHAPTER 13 TRUSTEE, AND ALL OTHER INTERESTED PARTIES:**

THE LAW OFFICES OF KEVIN T. SIMON (hereinafter “KTS”), counsel for Wayne  
Lawrence Simon (hereinafter “Debtor”), respectfully moves this Court to be relieved as counsel  
in the above-entitled bankruptcy proceeding as follows:

The Debtor has failed to maintain effective communication and trust with Debtor’s  
counsel which has deteriorated the attorney-client relationship, thus making it impossible to

MOTION TO WITHDRAW AS ATTORNEY OF RECORD

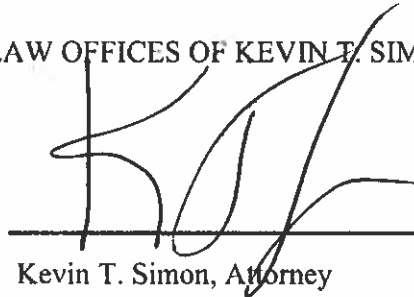
1 continue effective legal representation in the within Chapter 13 bankruptcy proceeding. (See  
2 Declaration of Kevin T. Simon). Moreover, revealing the facts on which this Motion is based  
3 would involve disclosure of client confidences. The undersigned represents that good grounds  
4 for withdrawal exist under Rules of Professional Conduct Rule 3-700(c). (See Declaration of  
5 Kevin T. Simon.).

6 Based on the above-circumstances, it is the belief of KTS that the continued effective  
7 representation of the Debtor is no longer feasible. Wherefore, the Moving party prays that this  
8 Court enter an Order relieving KTS as attorneys of record for the above-named Debtor in his  
9 Chapter 13 proceedings.

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11  
12 Date: October 24, 2022

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14 THE LAW OFFICES OF KEVIN T. SIMON, APC

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Kevin T. Simon, Attorney

**DECLARATION OF KEVIN T. SIMON IN SUPPORT OF MOTION**

I, Kevin T. Simon, do hereby declare that all of the following is true and correct to the best of my personal knowledge and if called upon as a witness I could and would competently testify to the truthfulness of all the below statements.

1. THE LAW OFFICES OF KEVIN T. SIMON, APC represents the Debtor, Wayne Lawrence Simon, in the instant Chapter 13 bankruptcy, Case Number: 2:21-bk-18656-NB, which was filed on November 15, 2021.

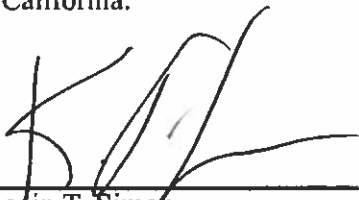
2. The Debtor has failed to maintain effective communication and trust with me and my office, which has deteriorated the attorney-client relationship, thus making it impossible to continue effective legal representation in the within Chapter 13 bankruptcy proceeding.

3. Moreover, revealing the facts on which this Motion is based would involve disclosure of client confidences. I represent that good grounds for withdrawal exist under Rules of Professional Conduct Rule 3-700(c).

4. Based these circumstances, it is my belief that the continued effective representation of the Debtor is no longer feasible.

5. Accordingly, I request that this Court enter an Order relieving THE LAW OFFICES OF KEVIN T. SIMON, APC as attorneys of record for the above-named Debtor in his Chapter 13 proceedings.

I declare under the penalty of perjury that the foregoing is true and correct and that this declaration is executed October 24, 2022, at Woodland Hills, California.

  
Kevin T. Simon

In re:  Wayne Lawrence Simon,  Debtor(s).	CHAPTER: 13  CASE NUMBER: 2:21-bk-18656-NB
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## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

The Law Offices of Kevin T. Simon, APC 21241 Ventura Blvd., Suite 253 Woodland Hills, CA 91364

A true and correct copy of the foregoing document entitled **MOTION TO WITHDRAW AS ATTORNEY OF RECORD; DECLARATION OF KEVIN T. SIMON IN SUPPORT THEREON** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On October 24, 2022 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Kathy A Dockery (TR):	efiling@CH13LA.com	
United States Trustee (LA):	ustpreion16.la.ecf@usdoj.gov	
Kevin T. Simon	kevin@ktsimonlaw.com	
Padgett Law Group	Mary.Vitartas@Padgettlawgroup.com	Kris.Zilberstein@Padgettlawgroup.com
LCI Inc	lyip@lciinc.com	
Prober and Raphael, ALC	dtorres-brito@pralc.com	<input type="checkbox"/> Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:** On October 24, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on October 24, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**Judge's Copy: Honorable Neil W. Bason 255 E. Temple Street, Suite 1552 / Ctrm. 1545 Los Angeles, CA 90012**

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 24, 2022  
Date

Alyssum Gruenfeldt-Roy  
Printed Name

/s/ Alyssum Gruenfeldt-Roy  
Signature

In re:  Wayne Lawrence Simon,  Debtor(s).	CHAPTER: 13  CASE NUMBER: 2:21-bk-18656-NB
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**ADDITIONAL SERVICE LIST:**

**Debtor**

Wayne Lawrence Simon  
4426 West 64th St.  
Inglewood, CA 90302

Convergent Outsourcing, Inc.  
Attn: Bankruptcy  
800 Sw 39th St, Ste 100  
Renton, WA 98057-4927

Nationstar Mortgage  
P.O. Box 650783  
Dallas, TX 75265-0783

GITSIT Solutions LLC, fka Kondaur Capital, L  
333 South Anita Drive, Suite 400  
Orange, CA 92868-3314

Quality Loan Service Corp  
2141 5th Avenue  
TS #CA-09-297899-AB)  
San Diego, CA 92101

Goldman Sachs Mortgage Company c/o Shellpoint  
Mortgage Servicing  
P.O. Box 10826  
Greenville, SC 29603-0826

The Bank of New York Mellon  
101 Barclay Street, 4W  
New York, NY 10286

Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Chapter 13 Trustee  
Kathleen Dockery  
700 South Flower St., Ste. 1950  
Los Angeles, CA 90051

Kondaur Capital Corp  
One City Blvd West  
Orange, CA 92868-3639

Office of the United States Trustee  
915 Wilshire Blvd., Ste 1850  
Los Angeles, CA 90017

Midland Fund  
Attn: Bankruptcy  
350 Camino De La Reine, Suite 100  
San Diego, CA 92108-3007

GITSIT Solutions LLC, fka Kondaur Capital, LLC  
c/o Prober \$ Raphael A Law Corp  
20750 Ventura Blvd, Ste #100  
Woodland Hills, ca 91364  
Attn: Diana Torres-Brito, Atty.

Quantum3 Group LLC as agent for Sadino Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

GOLDMAN SACHS MORTGAGE COMPANY  
represented by Larry Yip  
LCI Inc  
111 Anza Blvd Ste 310  
Burlingame, CA 94010

Security Credit Services  
Attn: Bankruptcy  
Po Box 1156  
Oxford, MS 38655-1156

Kristin A Zilberstein  
Padgett Law Group  
5501 LBJ Freeway, Suite 925  
Dallas, TX 75240

TOYOTA MOTOR CREDIT CORPORATION  
PO BOX 8026  
CEDAR RAPIDS IA 52408-8026

MCLP Asset Company, Inc.  
represented by Mary D Vitartas  
Padgett Law Group  
6267 Old Water Oak Rd  
Ste. 203  
Tallahassee, FL 32312

Toyota Motor Credit Corporation  
c/o Becket and Lee LLP  
PO Box 3002  
Malvern PA 19355-0702